



PATENT
Docket No. 1151-4172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kenneth K. Sokoll Group Art Unit: 1635
Serial No. : 10/076,674 Examiner: Jane Zara, Ph.D.
Filed : February 14, 2002
For : STABILIZED SYNTHETIC IMMUNOGEN DELIVERY SYSTEM

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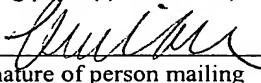
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Commissioner for Patents
Washington, DC. 20231

AMENDMENT AND RESPONSE
PURSUANT TO 37 C.F.R. § 1.115

Sir:

This is in response to the Office Action issued October 12, 2004 for which a response period of one month was set.

RESPONSE

The Examiner has required restriction of the claims to four groups as follows:

- I. Claims 1-23, drawn to an immunostimulatory complex, classified in classes 530 and 536, subclasses 300 and 23.1, respectively.
- II. Claims 24-63, drawn to a process of preparing an immunostimulatory complex, classified in classes 424, subclass 1.29.
- III. Claims 64-69, drawn to a pharmaceutical composition comprising an immunostimulatory complex and a biodegradable polymer, classified in class 514, subclass 44.
- IV. Claims 70-75, drawn to a method of producing an immune response, classified in classes 424, subclass 9.2.

Applicant provisionally elects claims 1-23 of Group I and requests that claims 70-75 of claim IV be joined with Group I. Reconsideration of the requirement is requested for the following reason. As presented claims 70-75 depend on claims 64-69, which in turn depend on claims 1-23. Thus, the claims of Group IV are linked to claims 1-23 of Group I with all of the limitations. Moreover, the method recited in Claims 70-75 uses the immunogens of claims 1-23 to produce an immune response. No further search is required. Since there is no burden of further search, and that the claims are linked claims 1-23 and 70-27 may be examined together.

The Examiner further required the election of one peptide immunogen from those recited in claims 3, 16, 17 and 19-23 and an oligonucleotide sequence from claims 12-14. Applicant provisionally elects the peptide immunogen of SEQ ID NO:9 and the 32mer oligonucleotide of SEQ ID NO:1.

Respectfully submitted,


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Dated: November 12, 2004

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